



An
Bord
Pleanála

Inspector's Report

ABP-309551-21

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| Development | Demolition of dwelling. Construction of 33 apartment, in 2 three storey blocks. |
| Location | No. 1 & 7A Blakestown Cottages, Blakestown Road, Dublin 15 (D15 V34W). |
| Planning Authority | Fingal County Council |
| Planning Authority Reg. Ref. | FW20A/0199 |
| Applicant(s) | Daly Real Estate Limited. |
| Type of Application | Planning Permission. |
| Planning Authority Decision | Refuse Permission. |
| Type of Appeal | First Party |
| Appellant(s) | Daly Real Estate Limited. |
| Observer(s) | Cara O'Reilly Peter McNally Cara McNally Róisín O'Reilly Derek O'Reilly Amy Tyrrell & Natalie Quinn |

Cllr. Tania Doyle
David Merriman
Andrew Merriman
Siobhán Merriman
Celine McNally
Thomas McNally
Karen Gunning
Mary McCamley
Joan McKeogh
Jolly Tots Pre-School
Joe & Claire Molloy
H&H Hartley
James & Jennifer Ryan
Cllr. Tom Kitt
Mary & Pat Feeney
Edel Smith
Margaret Furlong
Sinéad McGovern
Ruth Coppinger & Cllr. John
Burtchaell
Cllr. Daniel Whooley & Roderic
O’Gorman TD
Niamh O’Reilly

Date of Site Inspection

10th June 2021.

Inspector

Elaine Sullivan

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1.0 Site Location and Description

- 1.1. The subject site has a stated area of 0.32ha and is located on the western side of Blakestown Road. It is rectangular in shape and currently comprises two separate sites with single storey dwellings on each. No. 7A is located in the northern section and contains a detached single storey dwelling with a number of outbuildings to the rear. On the southern section of the site is No. 1 Blakestown Cottages which is a single storey semi-detached cottage which also has the Jolly Tots, pre-school childcare facility to the rear.
- 1.2. The site fronts onto Blakestown Road to the east with St. Peregrines GAA club on the opposite side of the road. The appeal site is bounded by residential development on all other sides with No. 2 Blakestown Cottages to the south, No. 7A Blakestown Cottages to the north and by the rear gardens of No's 36 & 38 Woodvale Avenue and No's 2 & 4 Woodvale Park to the west.
- 1.3. Blakestown Cottages form part of the historic built form of the area. They are unusual in the current urban setting as they are small scale dwellings on unusually large sites which extend to a length of c. 90m from Blakestown Road in some cases.
- 1.4. The area around the site is predominantly low-rise residential in nature with a mix of building types and styles. Directly to the north and south are single storey cottages with some 2 storey, dormer style dwellings to the south and on the opposite side of the road. To the rear of the site is the established residential estate of Woodvale which mostly comprises two storey, semi-detached houses.

2.0 Proposed Development

- 2.1. Planning permission is sought for the demolition of two single storey dwellings with associated extensions and outbuildings, the amalgamation of two separate sites and the construction of 33 no. apartments, (17 no. 2 bed units and 16 no. 1 bed units), in two, 3 storey blocks.
- 2.2. The blocks would be perpendicular to each other with Block A positioned towards the front of the site and along the northern boundary, and Block B towards the rear of the site and horizontal to the western boundary.

- 2.3. Block A would comprise 18 apartments, (8 x 2 bed and 10 x 1 bed) and Block B would have 15 apartments, (9 x 2 bed and 6 x 1 bed). All apartments would have private open space in the form of balconies or terraces at ground floor level.
- 2.4. Surface car parking for 28 no. cars would be provided to the front of the development and along the southern boundary and parking for 50 bicycles would be provided intermittently between and adjacent to the car parking spaces. A bin store would be located between the car parking spaces and the bicycle spaces on the southern boundary.
- 2.5. Block A would be set back from the front boundary by c. 12m and this area is shown as open space. A playground / play area would be positioned along the northern boundary between the blocks and an additional area of open space of c. 10m in width is shown to the rear of Block B and adjacent to the western site boundary.
- 2.6. The front boundary to the site would comprise a low-level brick wall with metal railings on top to a height of 1.8m. The vehicular access would be located towards the south-east corner of the site and a separate pedestrian access would also be provided.
- 2.7. In response to issues raised in the report of the Planning Officer the applicant has put forward an amended design for the Board's consideration as part of the appeal. The amendments are summarised as follows;
- The removal of the railing on the boundary to Blakestown Road to allow for an area of public open space to the front of the development.
 - Additional obscured glazing to a height of 1.8m to the front of the balconies of the front and rear elevation of Block B.
 - Provision of a 2m footpath and 2m verge to the front of the site.
 - Provision of 1 'Go Car' parking space and 3 no. EV charging points.
 - Increase in the number of bicycle parking spaces from 50 to 68.
 - Inclusion of a swept path analysis for emergency vehicles and inclusion of 'Taking in Charge' information.

3.0 Planning Authority Decision

3.1. Decision

Planning permission was refused by the PA for the following reasons;

1. The proposed development, by way of the scale, form, layout and design, does not respect and integrate with the established character of the area, would be visually intrusive and would significantly detract from existing residential amenity. The proposal would facilitate overlooking of adjacent properties and associated private amenity space, would represent an overbearing feature which would negatively impact on the amenities of the area and of adjoining residential properties and depreciate the value of same. The proposed development would materially contravene the RS zoning objective for the area and Objectives PM31 and PM 33 of the Fingal Development Plan 2017-2023, would represent overdevelopment of the site which set an undesirable precedent for other similar development and would therefore be contrary to the proper planning and sustainable development of the area.
2. The proposed development is quantitatively and qualitatively deficient in the provision of open space and playground facilities. The proposed development would materially contravene the RS zoning objective for the site and Objectives DMS 57 and DMS75 of the Fingal Development Plan 2017-2023 and would be contrary to the proper planning and sustainable development of the area.
3. The proposed development by virtue of the design and layout of the scheme which provides for surface car parking only, would result in a substandard form of development which would be injurious to the visual amenities of the area, would materially contravene the RS zoning objective for the site which seeks to 'provide for residential development and protect and improve residential amenity', in the Fingal County Development Plan 2017-2023 and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the Planning Officer dated the 28th January 2021 informed the decision of the PA and included the following;

- The principle of the development on the site is acceptable under the RS zoning.
- The site is not considered to be an infill site as there are two inhabited dwellings on the site, one of which is semi-detached cottage.
- The building height proposed are considered excessive and overbearing within the context of the site.
- The design, fenestration and finishes proposed as part of the scheme lack authenticity and diversity. The proposed uniform brick cladding could be improved.
- Block B has adequate separation distances to Woodvale Avenue as per the standards for opposing first floor windows. However, there are concerns regarding overlooking of the rear gardens of these properties from balconies.
- Block A is situated just 4.9m from the adjacent dwelling to the north (No. 7) and this is considered detrimental to the residential amenity of same.
- All rooms achieve the minimum daylight standards.
- The proposed development does not adhere to the established building line in the area and Block B could be described as backland development. Extensive surface car parking is a negative feature.
- The proposal involves the demolition of a semi-detached property. Details have not been submitted as to how this property will be finished and if an external gable wall will be constructed.
- The proposal fails to make any contribution to increased permeability or enhanced pedestrian or cycle facilities on Blakestown Road. Consequently, the front boundary should be set back to provide a 2m footpath and a 2m verge of continuous width to allow for the provision of a future cycle track.

- Open space shown in the site is not acceptable as public open space but is considered incidental/communal open space for the use of residents. The applicant would be required to make up the shortfall in public open space by way of a financial contribution in accordance with Section 48 of the Planning and Development Act 2000.
- No area of open space shown on the drawings is suitable for taking in charge by the PA.
- The proposed layout would be dominated by surface parking and does not lend itself to prioritise pedestrians in the space. It is not clear if the parking spaces would be designated to individual units. Dimensions of the car parking spaces are not shown on the drawings.
- There is a deficit of 20 parking spaces as per Development Plan standards, or 5 below what the Transportation Planning Section would consider the absolute minimum practical parking requirement. This deficit does not take into account visitor parking requirements, which would require a further 6 spaces.
- The number of bicycle parking spaces proposed is below the standard required.
- Overall, the submitted proposal does not satisfactorily integrate into the character of the area and would result in a form and scale of development that is out of character with the neighbouring dwellings and the pattern of development in the area and would materially contravene the RS zoning for the site.

3.2.2. Other Technical Reports

- Parks & Green Infrastructure Division – The open space within the site is not acceptable as public open space and as such no open space has been provided. The proposal gives rise to a public open space requirement of 0.12ha based on occupancy rates of 49.5 bedspaces. The applicant is required to make up this shortfall by way of a financial contribution under Section 48 of the Planning and Development Act, which will be applied to Hartstown Park.

- Transportation Planning Section – Access and sightlines would be in accordance with DMURS. The boundary should be set back to provide a footpath and future cycle path as per the GDA Cycle Network Plan. The quantum of car parking provided, (28 spaces), is below the Development Plan standards, (48 spaces) and less than what is considered to be the minimum requirement, (33 spaces). Visitor parking would require an additional 6 spaces. Bicycle parking as shown would also be below Development Plan standards and should be improved. A minimum of 10% of the car parking spaces should have EV charging points.
- Water Services – No objection to the surface water drainage proposed for the development.
- Housing Department – A proposal was submitted to the Housing Dept. from the applicant in respect of an agreement to satisfy the Part V obligation under the Planning & Development Act.

3.3. Prescribed Bodies

Irish Water – No objection subject to connection agreement and compliance with Irish Water Standards codes and practices.

3.4. Third Party Observations

A total of 67 third party observations were received by the PA the main issues are summarised as follows;

- Excessive density and scale.
- Insufficient car parking for the development and future residents, would exacerbate parking issues on the road.
- Increased traffic would add to traffic issues on an already busy road.
- Overlooking of adjoining residential properties at Woodvale Avenue and on Blakestown Road.
- In appropriate height and design response for the context of the site.
- Negative visual impact on the existing streetscape.

- Demolition of No. 1 Blakestown Cottage could have a detrimental structural impact on the adjoining semi-detached cottage at No. 2.
- Site location on a bend in the road could result in a traffic hazard.
- Construction and operation phase would have a serious and negative impact on the pre-school facility on the adjoining site.

4.0 Planning History

No recent planning history for the site.

F97B/0625 – Planning permission granted by the PA on the 24th March 1998 for additions and alterations to bungalow at 7A Blakestown Cottages.

On the adjoining sites;

FW16B/0107 – Planning permission granted by the PA on the 18th November 2016 for the construction of a part single and part two storey extension (c.174.6 m²) to the side and rear of the existing property and for a detached single storey garage (c.92.4 m²) in rear garden with all associated site and landscape works including the demolition of an existing single storey side extension (c.13m²).

PL06F.229587, (PA Ref. F08A/03559) – Planning permission refused by An Bord Pleanála for a storey and a half house in the rear garden of No. 2 Blakestown Cottages as it would *‘constitute haphazard backland development, which would be out of character with the existing pattern of development in the vicinity, would give rise to overlooking of adjoining residences and would, therefore, seriously injure the amenities of property in the vicinity, be an inappropriate precedent for other development and be contrary to the proper planning and sustainable development of the area’*.

5.0 Policy Context

5.1. Fingal County Development Plan 2017-2023

Zoning – The site is zoned objective RS – Residential, with is to ‘Provide for residential development and protect and improve residential amenity’. The vision for the RS zoning is to ensure that any new development in existing residential areas has a minimal impact on existing amenity.

An indicative route for the Greater Dublin Area Cycle Network is shown along Blakestown Road and to the front of the site. A connection to an indicative Cycle or Pedestrian route is shown to the north of the site on Blakestown Road.

Policies and Objectives:

Objective DMS20: Require the provision of a minimum of 50% of apartments in any apartment scheme are dual aspect.

Objective DMS24: Require that new residential units comply with or exceed the minimum standards as set out in Tables 12.1, 12.2 and 12.3.

Objective DMS28: A separation distance of a minimum of 22 metres between directly opposing rear first floor windows shall generally be observed unless alternative provision has been designed to ensure privacy. In residential developments over 3 storeys, minimum separation distances shall be increased in instances where overlooking or overshadowing occurs.

Objective DMS30: Ensure all new residential units comply with the recommendations of Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (B.R.209, 2011) and B.S. 8206 Lighting for Buildings, Part 2 2008: Code of Practice for Daylighting or other updated relevant documents.

Objective DMS36: Ensure all new residential schemes include appropriate design measures for refuse storage areas, details of which should be clearly shown at pre-planning and planning application stage. Ensure refuse storage areas are not situated immediately adjacent to the front door or ground floor window unless adequate screened alcoves or other such mitigation measures are provided.

Objective DMS57: Require a minimum public open space provision of 2.5 hectares per 1000 population. For the purposes of this calculation, public open space

requirements are to be based on residential units with an agreed occupancy rate of 3.5 persons in the case of dwellings with three or more bedrooms and 1.5 persons in the case of dwellings with two or fewer bedrooms.

Objective DMS75: Provide appropriately scaled children’s playground facilities within residential development. Playground facilities shall be provided at a rate of 4 sq m per residential unit. All residential schemes in excess of 50 units shall incorporate playground facilities clearly delineated on the planning application drawings and demarcated and built, where feasible and appropriate, in advance of the sale of any units.

Objective PM31: Promote excellent urban design responses to achieve high quality, sustainable urban and natural environments, which are attractive to residents, workers and visitors and are in accordance with the 12 urban design principles set out in the Urban Design Manual – A Best Practice Guide (2009).

Objective PM33: Enhance and develop the fabric of existing and developing rural and urban centres in accordance with the principles of good urban design, including the promotion of high quality well-designed visually attractive main entries into our towns and villages

Chapter 12 - Development management Standards

Density - As a general principle and to promote sustainable forms of development, higher residential densities will be promoted within walking distance of town and district centres and high capacity public transport facilities.

Apartment Developments;

Table 12.2 – Sets out the standards for Minimum GFA, Aggregate Living and Bedroom areas and storage area per unit type.

Table 12.3 – Sets out the minimum room sizes and widths for houses and apartments.

Table 12.6 – Sets out the private and amenity space requirements for Apartment and Duplex units.

National Policy

National Planning Framework

The National Planning Framework 2040 was adopted on the 29th May 2018 and seeks compact urban growth, with the associated objective that at least half of the future housing growth of the main cities will be delivered within their existing built-up areas through infill and brownfield development and 40% in other key towns. The National Planning Framework has a number of policy objectives that articulate delivering on a compact urban growth programme. These include:

- NPO 2(a) relating to growth in our cities;
- NPO 3(a)/(b)/(c) relating to brownfield redevelopment targets;
- NPO 5 relating to sufficient scale and quality of urban development; and
- NPO 6 relating to increased residential population and employment in urban areas;
- NPO13 relating to a move away from blanket standards for building height and car parking etc. and instead basing it on performance criteria.

Design Standards for New Apartments, (2020). – Supports the use of infill sites in urban locations to provide higher density apartment developments.

Section 2.4.2 – Intermediate Urban Locations - Sites within reasonable walking distance (i.e. up to 10 minutes or 800-1,000m), to/from high capacity urban transport stops (such as DART or Luas), can be considered suitable for higher density apartment developments.

SPPR1 - Apartment developments may include up to 50% one-bedroom or studio type units.

SPPR2 – Sets out the dwelling mix for residential development of up to 9 units; between 10 to 49 units and for schemes of 50 or more units.

SPPR3 – Sets out the standards for minimum apartment floor areas.

SPPR4 – Sets out the minimum number of dual aspect apartments to be provided in any scheme; a minimum of 33% dual aspect units are required in more central and

accessible locations, a minimum of 50% in a suburban or intermediate location and on urban infill sites of any size or on sites of up to 0.25ha planning authorities may exercise discretion to allow lower than the 33% minimum.

SPPR5 – Specifies floor to ceiling heights.

SPPR6 – Specified maximum number of apartments per floor core.

Appendix 1 – sets out the minimum requirements for aggregate floor areas, room areas and widths, storage space, private and communal amenity space.

Car Parking – In areas that are well served by public transport, the default position is for car parking provision to be minimised, substantially reduced or wholly eliminated. This is particularly applicable where a confluence of public transport options are located in close proximity.

Urban Development and Building Heights; Guidelines for Planning Authorities, 2018.

The guidelines require that the scope to consider general building heights of three to four storeys, coupled with appropriate density, in locations outside what would be defined as city and town centre areas, and which would include suburban areas, must be supported in principle at development plan and development management levels.

Section 3.0 – Building Height and the Development Management Process

Development Management Principles

3.1 – It is Government policy that building heights must be generally increased in appropriate urban locations. There is therefore a presumption in favour of buildings of increased height in our town/city cores and in other urban locations with good public transport accessibility.

3.2 - In the event of making a planning application, the applicant shall demonstrate to the satisfaction of the Planning Authority/ An Bord Pleanála, that the proposed development satisfies a set of criteria. The criteria relate to the development's impact at the scale of the city/town, the district neighbourhood / street and the site / building.

Regulation of Commercial Institutional Investment in Housing – Guidelines for Planning Authorities, (2021).

These guidelines were issued under Section 28 of the Planning and Development Act, in order to regulate the bulk-purchase of residential units by commercial institutional investors. They set out planning conditions to which planning authorities and An Bord Pleanála must have regard, in granting planning permission for new residential development including houses and/or duplex units.

This is to ensure that own-door housing units and duplex units in lower density housing developments are not bulk-purchased for market rental purposes by commercial institutional investors in a manner that causes the displacement of individual purchasers and/or social and affordable housing including cost rental housing.

The guidelines specifically relate to structures defined as a 'house', which is a building designed for use or used as two or more dwellings or a flat, an apartment or other dwelling within such a building, and, a 'duplex unit', defined as a dwelling within a building designed for use as two individual dwellings and/or one shared plot with separate entrances.

I note that the subject application does not include any houses or duplex units.

5.2. Natural Heritage Designations

No designations apply to the subject site.

5.3. EIA Screening

5.3.1. An Environmental Impact Assessment Screening report was not submitted with the application.

5.3.2. Class (10)(b) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for the following classes of development:

- Construction of more than 500 dwelling units,
- Urban development which would involve an area greater than 2 ha in the case of a business district, 10 ha in the case of other parts of a built-up area and 20 ha elsewhere. (In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)

5.3.3. It is proposed to construct 33 apartments in two blocks. The number of dwellings proposed is well below the threshold of 500 dwelling units noted above. The site has an overall area of c0.32ha and is located within an existing built up area but not in a business district. The site area is therefore well below the applicable threshold of 10 ha. The site is located within the Blanchardstown area and currently comprises two individual sites with single storey dwellings on each. The introduction of a residential development will not have an adverse impact in environmental terms on surrounding land uses. It is noted that the site is not designated for the protection of the landscape or of natural or cultural heritage and the proposed development is not likely to have a significant effect on any European Site as discussed below and there is no hydrological connection present such as would give rise to significant impact on nearby water courses (whether linked to any European site/or other). The proposed development would not give rise to waste, pollution or nuisances that differ from that arising from other housing in the neighbourhood. It would not give rise to a risk of major accidents or risks to human health. The proposed development would use the public water and drainage services of Irish Water and Fingal County Council, upon which its effects would be marginal.

Having regard to: -

- The nature and scale of the proposed development, which is under the mandatory threshold in respect of Class 10 - Infrastructure Projects of the Planning and Development Regulations 2001 (as amended),
- The location of the site on lands that are zoned for ‘Residential’ uses under the provisions of the Fingal County Development Plan, and the results of the strategic environmental assessment of the Fingal County Development Plan, undertaken in accordance with the SEA Directive (2001/42/EC),

- The location of the site within the existing built-up urban area, which is served by public infrastructure, and the existing pattern of residential development in the vicinity,
- The location of the site outside of any sensitive location specified in article 109 of the Planning and Development Regulations 2001 (as amended) and the mitigation measures proposed to ensure no connectivity to any sensitive location,
- The guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development”, issued by the Department of the Environment, Heritage and Local Government (2003), and
- The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended),

I have concluded that, by reason of the nature, scale and location of the subject site, the proposed development would not be likely to have significant effects on the environment and that on preliminary examination an environmental impact assessment report for the proposed development was not necessary in this case (See Preliminary Examination EIAR Screening Form).

6.0 The Appeal

6.1. Grounds of Appeal

The main issues in the grounds of appeal include the following;

- In response to issues raised in the report of the Planning Officer the applicant has put forward an amended design for the Board’s consideration. The amendments are summarised as follows;
 - The redefinition of the open space to include an area of public open space to the front of the development adjacent to Blakestown Road.

- The removal of the railing on the boundary to Blakestown Road to allow for open access to the open space.
 - Additional obscured glazing to the front of the balconies of the front and rear elevation of Block B.
 - Provision of a 2m footpath and 2m verge to the front of the site.
 - Provision of 1 'Go Car' parking space and 3 no. EV charging points.
 - Increase in the number of bicycle parking spaces from 50 to 68.
 - Inclusion of a swept path analysis for refuse & emergency vehicles and inclusion of 'Taking in Charge' information.
- In response to the PA's first reason for refusal, the grounds of appeal state that the sloping nature of the site informed the design as the height decreases to the rear. There are a variety of building types along Blakestown Road and the area has an inconsistent and staggered building line. Therefore, the proposed development will sit comfortably within this streetscape.
 - The design of the proposal responds to the sensitivities of the adjoining residential development by incorporating obscured glazing, generous setbacks and angled windows.
 - There is sufficient separation distance between the proposed Block A and the dwelling to the north to prevent an overbearing impact. The residents of the adjoining property to the north, (No. 7A), are in support of the proposal and have submitted a letter as part of the appeal.
 - Additional obscured glazing panels are proposed for the balconies on the front and rear elevations of Block B to mitigate potential overlooking of adjoining properties on Woodvale Avenue and Blakestown Road.
 - In response to the PA's second reason for refusal a public pocket park to the front of the site is proposed under the grounds of appeal. The revised design defines three areas of open space within the site and would comprise 280sqm of Communal Open Space, 241sqm of Public Open Space and 214sqm of Children's Play Space.

- The total area of open space within the development equates to 22% of the overall site. The total amount of public open space to serve the wider area equates to 7.53%. Noting that the general Section 48 contributions applicable to the scheme comprise a quantum of contributions for public open space in the area such as Hartstown Park, an additional open space levy would not be necessary or required given the wider public gain from the development.
- In response to refusal reason No. 3, the applicant states that the reduced car parking provision is also in accordance with Section 4.19 of the Apartment Guidelines, which promotes a reduced provision of car parking where developments are proposed in more central areas that are well served by public transport.
- Table 12.8 of the CDP sets out the maximum standards for car parking and would require a maximum of 41.5 car parking spaces for the proposed development. The CDP states that lower car parking standards can be applied if the development is located within Zone 1, i.e. within 800m of a high-quality bus service or 1,600m of a railway station. The subject site is 400m from a high frequency bus route. Therefore, it is submitted that the quantum of 28 car parking spaces is appropriate.
- A letter from 'GoCar' is submitted with the appeal and confirms that they intend to provide 1 shared club car in the proposed development for the exclusive use of the residents.
- Bicycle parking standards are set out in Table 12.9 of the CDP. The proposed development would generate a requirement for 33 no. bicycle parking spaces for residents and an additional 6 for visitors. The original proposal would provide 50 bicycle parking spaces and under the revised design submitted with the appeal, this would increase to 68 spaces should this be required.
- Increased densities can be facilitated in Blanchardstown which is at the intersection of the N3 and the M50. The proposed density of 103 units per hectare is in accordance with guidance contained in the Apartment Guidelines.

- All residential units comply with the development standards as set out the Fingal CDP and the Apartment Guidelines.
- An updated Daylight Analysis and Overshadowing Report is submitted with the appeal in response to the concerns of the Planning Officer. The report concludes that the private amenity space to the rear of No. 7 would have a minimum of 2 hours sunlight on the 21st March as per the BRE Guidelines. The windows to Bedroom No. 2 of Apartment No's 1 & 6 have been reorientated to provide a better outlook and to increase the amount of natural light penetration. This can be amended by way of condition.
- With regard to the demolition of the semi-detached property, the grounds of appeal wish to clarify that the adjoining semi-detached property comprises a gable wall which will be finished with a render and overhang similar to the existing dwelling.

6.2. Planning Authority Response

A response from the PA was received on the 30th March 2021 and includes the following;

- The application was assessed against the policies and objectives of the Fingal Development Plan 2017-2023 and existing policy guidelines. The proposal was assessed having regard to the development plan zoning objectives as well as residential amenity, design, transportation and water services.
- Having reviewed the grounds of the First Party Appeal, the Planning Authority remains of the opinion that the proposed development does not represent a proposal which satisfactorily integrates into the character of the area or protects the amenities of adjoining residents.
- The car parking provided is inadequate to serve the development and no public open space has been provided in the development.
- The proposal submitted would result in a form and scale of development that is out of character with the neighbouring dwellings and pattern of development

in the area. It would overlook adjacent properties and associated private amenity space and would materially contravene the 'RS' zoning for the site.

- In the event that the appeal is successful, the PA requests that a Condition in respect of the Section 48 Development Contribution Scheme and a Condition in respect of the Bond/Cash Security are included in the Board's determination.

6.3. Observations

A total of 29 observations were received on the appeal and included submissions from local residents and politicians including Cllr. Tania Doyle, Cllr. Mary McCamley, Cllr. Tom Kitt, Ruth Coppinger, (former TD & Solidarity representative), & Cllr. John Burtchaell, Cllr. Daniel Whooley & Roderic O'Gorman TD. The main issues are summarised as follows;

- Excessive density and scale for the site.
- Negative visual impact of the development on the receiving environment, which comprises single storey cottages or 2 storey dwellings.
- Negative impact on existing residential amenity in terms of overlooking, overbearing impact and overshadowing.
- Impact on the semi-detached cottage at No. 2 Blakestown Cottages, which is over 100 years old. The cottages were built as one structure and then subdivided. The structure may not withstand the demolition of the adjoining cottage.
- Extensions to the rear of No. 1 Blakestown Cottages have encroached into the adjoining site and their demolition would result in structural damage to the property at No. 2.
- Insufficient open space in the development for future residents.
- The open nature of the revised area to the front could lead to anti-social behaviour.
- Insufficient car parking spaces for future residents and no indoor or secure bicycle storage.

- Impact on the Jolly Tots Pre-school facility on the adjoining site in terms of overlooking, loss of privacy, security and public health as the bin store would be directly adjacent to the pre-school building.

7.0 **Assessment**

7.1. Having inspected the site and considered the contents of the appeal in detail, the main planning issues in the assessment of the appeal are as follows:

- Principle of Development
- Design & Visual Impact
- Impact on Residential Amenity
- Future Residential Amenity
- Open Space
- Parking & Access
- Appropriate Assessment

7.2. **Principle of Development**

7.2.1. The subject site is zoned objective 'RS'- Residential, in the Fingal Development Plan 2017-2023. The proposed development is 'Permitted in Principle' within the 'RS' zoning.

7.2.2. Under the Sustainable Urban Housing; Design Standards for New Apartments, Guidelines for Planning Authorities, 2020, (the Apartment Guidelines), the site would be categorised as an 'Intermediate Urban Location'. It is within reasonable walking distance, (1.5km), to Blanchardstown Shopping Centre, with Coolmine Industrial Estate, TU Blanchardstown and Connolly Hospital all within a 3.5km range. There are high frequency bus services approximately 500m from the site in both directions and Clonsilla Train Station is approximately 2.8km away. Therefore, the site is suitably positioned for the consideration of higher density development.

- 7.2.3. The Urban Development and Building Heights, Guidelines for Planning Authorities, 2018, also promotes increased heights in urban areas and require that, general building heights of at least three to four storeys, coupled with appropriate density, in locations which include suburban areas must be supported. I note that the Fingal CDP does not include any specific objectives that relate to height on the subject site.
- 7.2.4. The principle of the proposed development is acceptable for the site and can therefore be assessed against all the relevant local and national guidance.

7.3. Design & Visual Impact

- 7.3.1. In order to accommodate the development, it is proposed to demolish No. 2 Blakestown Cottages, which forms part of a pair of semi-detached cottages along with No. 1 Blakestown Cottages to the south. The existing streetscape to the north and south of the site is characterised by single storey cottages, most of which are semi-detached. I would have serious concerns regarding the impact of the demolition of one of a pair of historic cottages on the existing urban form and character of the area. The removal of the semi-detached cottage would result in an unbalanced form of development which would be inconsistent within the streetscape and would have a negative visual impact on the remaining cottage.
- 7.3.2. The proposed development is laid out in two, 3-storey, spine blocks perpendicular to each other. Block A would be positioned towards the front of the site, along the northern site boundary and on an east-west axis. Block B would be located to the rear of the site and horizontal to the western boundary. Surface car parking for 28 cars would be provided along the southern boundary and towards the front of the site.
- 7.3.3. Given its position within the site and the surrounding pattern of development, Block A would be the most visually prominent block. It would sit forward of the established building line formed by No's 7-12 Blakestown Cottages to the north of the site. However, to the south of the site, the gable end of Block A would broadly align with the building line formed by No's 1-6 Blakestown Cottages. As noted above, No. 1 currently forms part of the site and would be demolished to accommodate the development.

- 7.3.4. No. 7 Blakestown Road is the adjoining house to the north. The rear elevation of Block A would face directly onto this house and sit approximately 35.5m forward of its front elevation. It would flank the front garden of the property and would be just 1.3m from the site boundary. Given the narrow separation distance, there is no opportunity to provide landscaping or screening along this boundary and none is proposed. There is currently some mature planting to the front of the site at No. 7 but the boundary treatment directly adjacent to the dwelling, comprises a blockwork wall which would not provide much in the way of visual softening. As such, the rear elevation of Block A would be clearly visible and prominent when viewed from the north of the site.
- 7.3.5. Although the northern elevation of Block A would be broken up by a staggered façade and a mix of materials and finishes, the building would be an imposing structure within the streetscape. It would be particularly prominent when viewed from the north by virtue of its length of c. 35m and height of 9.8m to parapet level. The front building line of Block A would be less imposing within the streetscape when viewed from the south as it would set back from the site boundary by c.12m and would broadly align with the front elevation of the cottage to the south at No. 2 Blakestown Cottages. The existing low-rise, historic built form surrounding the site is noted. However, by virtue of its scale and mass, Block A would be at odds with the surrounding pattern of development and would result in an inappropriate response to the site context when viewed from the north. It would also have a negative visual impact on the surrounding streetscape and environment.
- 7.3.6. Block B is positioned to the rear of the site and as such would have less of a visual impact on the streetscape. However, the southern elevation of Block B would be in close proximity to the site boundary with No. 2 Blakestown Cottages. At its closest point it would have a separation distance of just 1.3m. It is proposed to construct a 2m high blockwork wall around the site but given the proximity of Block B to the southern site boundary, there would be no room for planting or landscaping to soften the visual impact of the building on the adjoining private open space. The scale and mass of Block B, and its proximity to the private open space to the rear of No. 2 Blakestown Cottages, would result in an overbearing impact and would be an imposing structure when viewed from the adjoining site.

- 7.3.7. I note that there is a pre-school facility to the rear of No. 2 Blakestown Cottages and that the open space to the rear is also used as a play area for the children. Concerns have been raised in third party submissions regarding the impact of the proposal on the play area. The issue of overlooking and overshadowing of adjoining properties will be addressed in full in Section 7.4 below.
- 7.3.8. The impact of Block B would be less pronounced on the adjoining site to the north, No. 7 Blakestown Cottages, as there would be a greater separation distance, (c. 4m), between the proposed northern elevation and the site boundary. It is also proposed to provide some landscaping to the north of Block B which would soften the visual impact of the building on the adjoining site. Whilst Block B would also be visible from the rear of the properties facing onto Woodvale Avenue and Woodvale Park, there would be sufficient separation distances, (from 35-46m), in my view, to mitigate against any overbearing impact.
- 7.3.9. Overall, the built form of the proposal would be at odds with the existing pattern of development within the area. The demolition of one of the semi-detached cottages would have a negative impact on the character and urban form of the area and on the wider streetscape. It would also would result in an unbalanced form of development for the remaining cottage. The bulk, mass and prominence of Block A within the site would result in a negative visual impact on the streetscape as a whole, and on the adjoining residential properties. The proximity of Block B to the adjoining dwelling to the south of the site, would have an overbearing impact on the amenity space to the rear.
- 7.3.10. The surface car parking to the front would result in a large open area of hard landscaping which would be incongruous with the existing low-density, low-level dwellings in the area. The proposed layout also offers no opportunity to soften the visual impact of the car parking area. Whilst it is my view that the area would benefit from some additional landscaping to soften the visual impact along the southern boundary, it does not represent a reason for refusal.
- 7.3.11. Materials would comprise a mix of brick and render finish to the façade with black metal railings and opaque glazing to the balconies with black framed windows. These finishes are acceptable, and I do not agree with the opinion of the PO that the finishes lack authenticity and diversity.

7.4. Impact on Residential Amenity

Overlooking

- 7.4.1. The layout and orientation of Block B has the most potential to cause overlooking of adjoining property. The balconies to Apartment No's 7 & 12 are located on the rear elevation of Block B, at 1st and 2nd floor level respectively, and would be just 10m from the western site boundary. However, as this boundary runs at an angle to the rear gardens of the 2 storey houses on Woodvale Avenue and Woodvale Park, there would be no direct overlooking of one specific garden. As such, it is my view that the existing boundary treatments, planting and outbuildings would serve to obstruct direct views across the gardens in closest proximity to the development.
- 7.4.2. Although the balconies would not directly oppose any existing first-floor windows, the separation distances between the proposed development and existing housing would range from 36m to 45m and would be in excess of the recommended 22m. I note that the proposed landscaping plan would provide some trees along the western boundary which would soften the visual impact of the new building and restrict overlooking. The proposed separation distances and the layout of the site would mitigate against any undue overlooking of the properties facing onto Woodvale Avenue and Woodvale Park.
- 7.4.3. Under the grounds of appeal the applicant has proposed to fully enclose the balconies on the rear elevation with an opaque glazed screen to a height of 1.8m to prevent overlooking. Whilst this would be effective as a mitigation measure, I would have serious concerns regarding the impact on the proposal on the amenity for future residents. The 1.8m screen would block all external views from the main amenity space and would restrict the aspect from the units. This is not a suitable design response to address the issue of overlooking and should not be considered as a suitable mitigation measure.
- 7.4.4. Balconies are also provided to the front of Block B. The balconies at 1st and 2nd floor level on the south-eastern corner, serving Apartments 6, 10 and 11, have the most potential for overlooking of adjoining property. These balconies would be approximately 1.4m from the southern site boundary and whilst they would directly

oppose the rear of the adjoining property to the south, at No. 2 Blakestown Cottages, they would have a clear sightline into the attendant private open space.

- 7.4.5. I note that the private open space to the rear of No. 2 also serves as the play area for the children attending the Jolly Tots pre-school facility and in the absence of any mitigation measures these balconies would directly overlook the private open space and the play area. The separation distance between the front elevation of Block B and the rear elevation of No. 2 would be in the order of 40m. However, the separation distance between Block B and the pre-school facility building to the rear would be c.16m.
- 7.4.6. As with the rear elevation, the applicant has proposed to fully enclose the balconies with an opaque screen of 1.8m in height. As noted above, I am not satisfied that this mitigation measure is an appropriate solution as it would result in a reduced level of amenity for future residents by restricting the external aspect or view from the main amenity space of the unit. For this reason, it is my view, that this mitigation measure is unacceptable. However, in the absence of any alternative mitigation measures, I am not satisfied that overlooking of the adjoining private amenity space to the south can be prevented, and for that reason planning permission should be refused.
- 7.4.7. The issue of overlooking does not arise with Block A. Whilst the rear elevation of Block A directly abuts the front garden of No. 7, the building has been designed to prevent overlooking. The only windows facing onto the adjoining site serve the circulation spaces and are 'saw-tooth' windows that are oriented to face away from the site to prevent direct overlooking. I am satisfied that the separation distances of 18m from the front elevation of Block A to the southern site boundary, and the 2m high boundary wall is sufficient to prevent direct overlooking of the private amenity space to the rear of No. 2.

Overshadowing

- 7.4.8. A Daylight Analysis and Overshadowing report was submitted with the appeal which measures the daylight to the internal spaces in the proposal and also assesses the impact of overshadowing on the external spaces of the adjoining properties. The report was prepared using the guidance contained in the BRE 209, 'Site Layout Planning for Daylight and Sunlight', 2011 guidance document, (BRE Guidelines). For

the purposes of examining the impact of the proposal on existing residential amenity, the issue of overshadowing is addressed in this section and daylighting to internal spaces is addressed in Section 7.5 below.

- 7.4.9. Given the orientation of the site and the layout of the proposed buildings, the most sensitive external receptor would be the property to the north of the site at No. 7 Blakestown Cottages. Both Block A and Block B would be positioned directly adjacent to the open space to the front and rear of this dwelling. In recognition of the potential impact the open space was assessed for overshadowing of external spaces.
- 7.4.10. The BRE Guidelines recommend that 50% of any qualifying amenity area should be able to receive at least 2 hours of direct sunlight on the 21st March. If as a result of a new development, the garden area that cannot receive 2 hours of direct sunlight on March 21st is reduced to 0.8 times its former size then the further loss of sunlight is significant. In order to determine the qualifying amenity areas, the Guidelines recommended that only the main back garden should be analysed. Front gardens that are small and visible from public footpaths should be omitted as well as driveways and hard-standing areas for cars.
- 7.4.11. It is unclear from the report exactly what area in the adjoining garden was analysed for sunlight on the ground on the 21st March. Figure 5 of the report appears to relate to the green areas to the rear of the dwelling at No. 7 Blakestown Cottages, which would be the main amenity area as per the guidelines. The results contained in the report state that the total area of garden analysed was 152.4m², all of which received a minimum of 2 hours sunlight on the 21st March. The impact of overshadowing from the proposed building is demonstrated in a set of shadow diagrams contained in Appendix A of the report. These diagrams confirm that the main amenity area to the rear of No. 7 would receive a minimum of 2 hours sunlight on the 21st March.
- 7.4.12. I note from these diagrams, that the open space to the front of No. 7 experiences much more overshadowing than the area to the back. However, a large portion of this area comprises a driveway and car parking area, which the guidelines recommend is omitted from the calculations. From a review of the information submitted and the shadow diagrams, I am satisfied that the private open space to

the rear of No. 7 Blakestown Cottages can achieve the recommended minimum amount of sunlight as per the BRE Guidelines.

- 7.4.13. The shadow diagrams for December also show that a portion of some of the rear gardens to the houses facing onto Woodvale Avenue and Woodvale Park would experience some overshadowing from the development during the winter months. However, for the majority of the year, these gardens would be largely unaffected by overshadowing and as such would not suffer from any significant impact as a result of overshadowing.
- 7.4.14. Additional tests to measure the Average Daylight Factor, (ADF), and the Vertical Sky Component, (VSC) were carried out on No. 7 to determine whether or not the proposal would have a negative impact on the south-west facing rooms. ADF calculations are used to determine the amount of natural daylight a room within a building will receive and take into account the size of the window in relation to the size of the room, the reflectance of the walls, the nature of glazing and the number of walls. The recommended minimum ADF target value as per the BRE Guidelines is 1% for a bedroom, 1.5% for a living room and 2% for a kitchen. Where rooms have mixed uses it is recommended that the higher number is applied. Within the report, the results listed for the ADF analysis shows that that the Master Bedroom, Living/Dining area and Bedroom 3 of No. 7 will all exceed the required ADF for each room.
- 7.4.15. The VSC is a measure of the amount of sky visible from a given point and is expressed as a percentage. The maximum potential VSC for unobstructed sky view is marginally under 40%. BRE guidance suggests that if the VSC is less than 27%, and is less than 0.8 times its former value, then the neighbouring buildings will experience a noticeable reduction in the amount of skylight they receive. The report does not illustrate the location of the windows tested in No. 7, nor does it give the existing situation without the development. Instead, it provides only a list of the results. The results show that all windows tested are in excess of the 27% VSC which is the recommended BRE indicator to measure if sufficient skylight reaches the windows of the existing building.
- 7.4.16. In considering the potential impact on existing dwelling to the north of the site, at No. 7 Blakestown Cottages, I have reviewed the results submitted in the report and have

considered the loss of light from the sky into the existing house through the main windows located on the south-western elevation which are listed as living/dining and bedrooms. The overshadowing and loss of sunlight to the private amenity space to the rear of the house was also considered. The proposed development would not be positioned directly opposite to the existing house and as such some of the windows would be largely unaffected. Given the position of the existing house within the site, the layout of the proposed development, and the results of the assessments regarding ADF, VSC and overshadowing, I am satisfied that the existing house to the north will receive the recommended amounts of daylight and sunlight as per the BRE guidance document.

Impact on No. 2 Blakestown Cottages

- 7.4.17. Concerns were raised in third party observations regarding the impact the proposal would have on the adjoining semi-detached cottage to the south of the site in terms of its structural integrity and the construction methodology required for the demolition of the adjoining property at No. 1. Whilst these concerns are acknowledged, this is however, a civil matter to be resolved between the parties, having regard to the provisions of s.34(13) of the 2000 Planning and Development Act and as such is not addressed within this appeal.

The proposed removal of one of a pair of semi-detached cottages and its impact on the remaining property in terms of urban form and the character of the existing streetscape is addressed in Section 7.3, Design and Visual Impact.

7.5. Future Residential Amenity

- 7.5.1. All of the proposed apartments either meet or exceed the minimum standards for floor areas, room size, and private open space as set out in the Apartment Guidelines and the mix of unit types is also in accordance with SPPR 2 of the Guidelines. The provision of communal and public open space is assessed below in Section 7.6.
- 7.5.2. The ADF to habitable spaces in the proposed units was assessed as part of the 'Daylight Analysis and Overshadowing' report. All units were found to meet and, in

most cases, exceed, the recommended ADF levels as set out in the BRE Guidelines. This indicates that the habitable spaces to the proposed development would be adequately lit.

- 7.5.3. In order to prevent overlooking of adjoining spaces to the north and south, the applicant has put forward an option to enclose the balconies with opaque screens of 1.8m on the front and rear elevation of Block B. If this measure is implemented it would reduce the number of dual aspect units from 17, (51%) to 9, (27%) as external views from the apartments would be blocked by the screens. Notwithstanding the potential impact for future residents in terms of loss of aspect and amenity, the proposed development would fail to achieve the 33% requirement for single aspect units as set out in SPPR 4 of the Apartment Guidelines.
- 7.5.4. I am also not convinced that the effect of the proposed screens on the daylight to the internal spaces in the apartments has been fully considered. Under the grounds of appeal, the balconies to apartment No's 1, 2, 6, 7, 11 and 12 could be fitted with the opaque screens of 1.8m. The original proposal was for open balconies with metal railings and the updated Daylight Analysis and Overshadowing report submitted with the appeal makes no reference to the proposed changes. Therefore, it is not clear if the proposed screens would have any impact on the ADF to the units or if the analysis was amended to include the proposed screens.
- 7.5.5. I note that the concerns of the PO with regard to the daylight to Apartments 1 & 6 in Block A have been addressed under the grounds of appeal and the windows to Bedroom 2 in both units have been reorientated to provide better lighting. However, the ADF results for these windows remain the same as the original report and as such it is unclear if the calculations in the report have been updated to reflect the proposed amendments.

7.6. Open Space

- 7.6.1. Deficiencies in the quantity and quality of the open space within the development formed the grounds for refusal in the decision of the PA. The applicant has sought to address this issue under the grounds of appeal by presenting an amended proposal to the Board. Under this proposal the front boundary to the site would be removed and the area between the site boundary and the gable end of Block A, (c. 241m²),

would be defined as Public Open Space. The area to the rear of Block B and adjacent to the western site boundary is defined as Communal Open Space and would be in the order of 280m². A play area is also shown to the centre of the site, between the blocks and would be approximately 214m².

- 7.6.2. By virtue of its scale, location and layout, the proposed development does not lend itself to the provision of any meaningful public open space. The prevailing character of development surrounding the site is that of low-rise, suburban style dwellings with clearly defined boundaries. Given the existing pattern of development, I would question the requirement for a public open space at this location given the proximity of Hartstown Park which is approximately 120m to the north of the site.
- 7.6.3. An undefined or open boundary to the development would not provide a legible urban form within the streetscape and is a departure from the existing character and streetscape. The area shown as public open space would not be of sufficient scale to provide adequate separation distances between the residential units in Block A and the proposed public open space. This would lead to a reduction in amenity levels for future residents and could also lead to security issues.
- 7.6.4. It is my view that the area to the front of the site would be better suited to serve as passive or communal open space for future residents if planning permission is granted. Should the Board be minded to grant permission for the development, I would recommend that the space to the front of the development be reserved for the use of residents, and that the site boundary be installed as per the Landscaping Plan submitted to the PA on the 27th November 2011. I also recommend that the shortage of public open space within the development be addressed by way of a development contribution in accordance with the terms of the Development Contribution Scheme made under Section 48, (2), (c), of the Planning and Development Act as amended.
- 7.6.5. The area to the rear of Block B and adjacent to the western site boundary is defined as Communal Open Space and would be in the order of 280m². A play area is also shown to the centre of the site, between the blocks and would be approximately 214m². This quantum of communal space is in excess of the 198m² requirement as per the Apartment Guidelines and would be sufficient to provide an adequate level of amenity should planning permission be granted.

7.7. Parking & Access

- 7.7.1. A total of 27 car parking spaces are shown on the 'Proposed Site Layout with Ground Floor Plan', (Drawing PA_002). These include the provision of 2 disabled spaces and 1 space dedicated to 'GoCar' use. Three EV charging points would also be provided. Whilst the car parking provision may not meet the requirements of the CDP, a reduction of the overall car parking standard can be considered in this instance, given the proximity of the site to high frequency urban bus services and as per Section 4.2.1 of the Apartment Guidelines. The inclusion of a space for 'GoCar' is an additional amenity in terms of transport provision. Therefore, I am satisfied that the car parking provision for the development is in accordance with national guidance and is acceptable.
- 7.7.2. Bicycle parking areas are shown in areas adjacent to the car parking spaces and to the front of Block B and comprise 60 spaces for residents and 8 spaces for visitors. It is proposed to use a mix of covered Sheffield stands with a double decker assisted bicycle rack at one location. In my opinion the bicycle parking areas proposed are not adequately sheltered or secure. The Sheffield stands proposed have an overhead canopy but apart from that are open to the elements and it is unclear from the information submitted if the bicycle rack would be enclosed in any way. I do not agree that the bicycle storage proposed would ensure an increased sense of security for users and stored bicycles. Secure bicycle parking is not proposed and given the location of the stands in open areas to the front of the development, this could lead to security issues. Secure, weatherproof bicycle parking should be provided for the use of residents. However, should the Board be minded to grant planning permission, this issue could be addressed by way of condition and is therefore not a reason for refusal.

7.8. Appropriate Assessment

- 7.8.1. It is proposed to construct 33 apartments in two blocks on a site located within the urban area of Blanchardstown and within a predominantly residential area. The site

is serviced by water and drainage networks and surface water drainage will be dealt with on site through the use of standard SuDS measures and infiltration trenches. The project is not directly connected with or necessary to the management of a European Site and therefore it needs to be determined if the development is likely to have significant effects on a European site(s). The proposed development is examined in relation to any possible interaction with European sites designated Special Conservation Areas (SAC) and Special Protection Areas (SPA) to assess whether it may give rise to significant effects on any European Site in view of the conservation objectives of those sites. The closest European site would be the South Dublin Bay and River Tolka Estuary SPA, (Ref. 00402), the South Dublin Bay SAC, (Ref. 000210), which are approximately 14km from the site. There is no direct hydrological connection to these sites. It is therefore evident that the proposed development would not be likely to have significant effects on any European site, either individually or in combination with any other plan or project.

- 7.8.2. Having reviewed the documents and submissions and having regard to the nature and scale of the proposed development and the location of the site in a serviced urban area with no direct or indirect connection via a pathway to a European site, I am satisfied that Appropriate Assessment issues arise and it is not considered that the development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

- 8.1. I recommend that planning permission be refused.

9.0 Reasons and Considerations

1. Having regard to the nature and scale of the proposed development, for 33 apartments in 2 blocks, it is considered that by reason of the scale and mass of Block A and its positioning forward of the established building line formed by the adjacent properties to the north, that the building would be an imposing and incongruous feature in the streetscape when viewed from the north and would be out of character with the existing streetscape. It would result in an unacceptable negative visual impact within the streetscape and would injure

the visual amenities of the area and the adjoining properties. As such the proposed development would not be in accordance with the RS zoning for the site and would be contrary to the Fingal Development Plan 2017-2023 and the proper planning and sustainable development of the area.

2. Having regard to the scale and proximity of Block B to the adjoining residential development to the south, it is considered that the development would have an overbearing impact when viewed from the private open space to the rear of the adjoining dwelling to the south. It is also considered that the proximity and location of the balconies on the front elevation of Block B would result in a loss of privacy for the residents, and persons using the private open space to the rear of the adjoining property to the south. As such it would result in a loss of residential amenity and would be contrary to the RS zoning for the site, the Fingal Development Plan 2017-2023 and the proper planning and sustainable development of the area.

Elaine Sullivan
Planning Inspector

6th September 2021